

Remarks

Prior to the Request for Continued Examination, claims 1-20 were pending in the application with claims 1-20 rejected and no claims withdrawn from consideration. Claim 1 is amended above.

In the Final Rejection of October 18, 2005, claims 1, 8-11, and 17 were rejected as anticipated by Ornstein '431; claim 12 as obvious over Ornstein '431 as applied to claim 1 and further in view of Moore, Jr. '463; claims 2-7 and 13 as obvious over Ornstein '431 as applied to claim 1 and further in view of Ornstein '885; claim 14 as obvious over Ornstein '431 as applied to claims 2-7 and 13 in further view of Celona; claims 17-20 as obvious over Ornstein '431 as applied to claim 1 and further in view of Acres; with all detailed reasoning by the Examiner as set forth in the first Examiner's Action.

In further remarks, the Examiner implicitly argued that the claim limitation of "a number of hands" and an "amount of hands" was met by the teaching in Ornstein '431 of a selected number of consecutive winning hands.

Independent claim 1 is amended above to clarify that the claim is directed to an aspect of the inventive game not disclosed or suggested by Ornstein '431, specifically that the claimed quantity of hands is a *net* quantity of *winning* hands. As clarified, the invention can be seen to encompass (for example) a streak of one loss followed by seven wins, for a net number of six wins. Such a streak would automatically be a loser in the game of Ornstein '431, because Ornstein forbids as much as a single loss. See column 4, lines 52-57: "In the event that a player *loses any game prior to winning four* [in the example being discussed] *continuous games ... the house wins the streak bet* and the conventional bet of the relevant game that the player has lost, as represented in Fig. 3e." Thus it can be seen that even though Ornstein '431 would pay against (continuing the example) one, two, or three consecutive wins, they must be consecutive *initial* wins (*i.e.*, beginning with the first hand) and any winning streak following a loss of the initial (or any subsequent) hand.

Thus, independent claim 1 and all of dependent claims 2-20 are novel over Ornstein '431; and, given that the explicit teaching of Ornstein '431 that only consecutive winners are counted, it is clear that the invention is not suggested by Ornstein '431. Therefore, all claims should be allowed.

Conclusion

Please enter the amendments above and reconsider the application. If you have any questions, please contact me at your convenience.

Please note that this paper, and all others filed contemporaneously with it, are filed pursuant to representative capacity as specified in 37 CFR § 1.34, pending formal substitution of attorneys, which shall occur at the earliest opportunity with every intent to avoid delays in prosecution on the merits.

Very truly yours,



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